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A Professional Corporation

Fax Transmission | September 8, 2004

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FROM: Anne M. Murphy

OUR REF: 11669.163USU1
TELEPHONE: 612.371.5267

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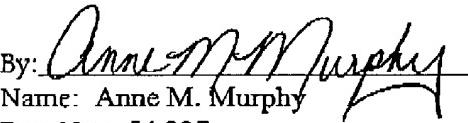
USPTO Centralized Facsimile No.: **1-703-872-9306** Total pages, including cover letter: **14**.

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Title of Documents Transmitted: 1. Supplemental Declaration under 37 C.F.R. § 1.67(a) for:
 a. Diane Pennica
 b. Victoria Smith
 c. William I. Wood
 2. Application Data Sheet

Applicant:	Pennica et al.	Our Ref. No.:	11669.163USU1
Serial No.:	09/759,056	Confirmation No.:	1938
Filed:	January 11, 2001	Customer No.:	23552
Group Art Unit:	1631		

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By: 
 Name: Anne M. Murphy
 Reg. No.: 54,327
 AMM:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


 Signature

September 8, 2004
 Date

Attorney Docket No. 11669.163USU1

MERCHANT & GOULD P.C.
United States Patent Application
SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. §1.67(a)

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: NOVEL STRA6 POLYPEPTIDES

The specification of which

- a. is attached hereto
- b. was filed on January 11, 2001 as application serial no. 09/759,056 and was amended on May 6, 2003, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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- a. no such applications have been filed.
- b. such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
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U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

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U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/228,914	August 29, 2000
60/197,089	April 14, 2000
60/175,849	January 13, 2000

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name PENNICA	First Given Name DIANE	Second Given Name
0	Residence & Citizenship	City Burlingame	State or Foreign Country California	Country of Citizenship USA
1	Mailing Address	Address 2417 Hale Drive	City Burlingame	State & Zip Code/Country California 94010/USA
Signature of Inventor 201: <i>Diane Pennica</i>			Date:	7-27-04
2	Full Name Of Inventor	Family Name SMITH	First Given Name VICTORIA	Second Given Name
0	Residence & Citizenship	City Burlingame	State or Foreign Country California	Country of Citizenship Australia
2	Mailing Address	Address 19 Dwight Road	City Burlingame	State & Zip Code/Country California 94010/USA
Signature of Inventor 202:			Date:	
2	Full Name Of Inventor	Family Name WOOD	First Given Name WILLIAM	Second Given Name I.
0	Residence & Citizenship	City Cupertino	State or Foreign Country California	Country of Citizenship USA
3	Mailing Address	Address 15060 Montebello Road	City Hillsborough	State & Zip Code/Country California 95014/USA
Signature of Inventor 203:			Date:	

Attorney Docket No. 11669.163USU1

MERCHANT & GOULD P.C.

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1	Mailing Address	Address 2417 Hale Drive	City Burlingame	Country of Citizenship USA
Signature of Inventor 201:			Date:	

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0	Residence & Citizenship	City Burlingame	State or Foreign Country California	
2	Mailing Address	Address 19 Dwight Road	City Burlingame	Country of Citizenship Australia
Signature of Inventor 202:			Date: 8-30-04	

2	Full Name Of Inventor	Family Name WOOD	First Given Name WILLIAM	Second Given Name I.
0	Residence & Citizenship	City Cupertino	State or Foreign Country California	
3.	Mailing Address	Address 15000 Montebello Road	City Hillsborough	Country of Citizenship USA
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Signature of Inventor 201:				Date:
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Signature of Inventor 202:				Date:
2	Full Name Of Inventor	Family Name WOOD	First Given Name WILLIAM	Second Given Name L
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3	Mailing Address	Address 15060 Montebello Road	City Hillsborough	State & Zip Code/Country California 95014/USA
Signature of Inventor 203:				Date: 8/21/04

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